

FILED

JUNE 9, 1994

10:37AM

PERM FILE

7956

Betty J. Lund

CLERK AND RECORDER BY

Wendy C. May

DEPUTY NO FEE

RESOLUTION NO. 696**RESOLUTION TO CREATE A ZONING DISTRICT
SAWTOOTH CREEK RANCH SUBDIVISION**

WHEREAS, a petition dated February 17, 1994 was filed with the Clerk and Recorder requesting a voluntary zoning district for the Sawtooth Creek Ranch Subdivision; and

WHEREAS, the Clerk and Recorder confirmed that the petition was signed by 90.9% of the owners of real property in the Sawtooth Creek Ranch Subdivision Zoning District; and

WHEREAS following proper legal notice, a public hearing was held on March 30, 1994 to take comment on the proposed district and regulations; and

WHEREAS the BOARD OF COUNTY COMMISSIONERS passed a resolution on April 25, 1994 with the intent to create a zoning district, and following proper legal notice of said resolution, received no objections from any owners of real property in the Sawtooth Creek Ranch Subdivision;

NOW THEREFORE BE IT RESOLVED that the BOARD OF COUNTY COMMISSIONERS hereby creates Zoning District No. 33, said district is more particularly described in Exhibit "A" attached hereto and with reference made a part hereof.

IT IS FURTHER RESOLVED and this does order, that the following Exhibit "B" attached hereto and with reference made a part hereof, shall govern the use of lands and structures within the Zoning District No. 33, also referred to as the Sawtooth Creek Ranch Subdivision Zoning District.

Passed and approved this 2nd day of June 1994.

BOARD OF COUNTY COMMISSIONERS

Steven D. Powell
Steven D. Powell, Chairman

Allen C. Horsfall, Jr.
Allen C. Horsfall, Jr., Member

Jerry L. Allen
Jerry L. Allen, Member

Betty J. Lund
Attest: Clerk & Recorder



EXHIBIT "A"SAWTOOTH CREEK RANCH SUBDIVISIONZONING AREA PERIMETER DESCRIPTION

A tract of land known as the Sawtooth Creek Ranch Subdivision, Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) & SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 5 North, Range 21 West, Principle Meridian Montana; the perimeter of which is described for zoning as follows:

Beginning at the East 1/16 corner of Section 3, T.5N, R.21 W

Thence South to the EC 1/16 corner;

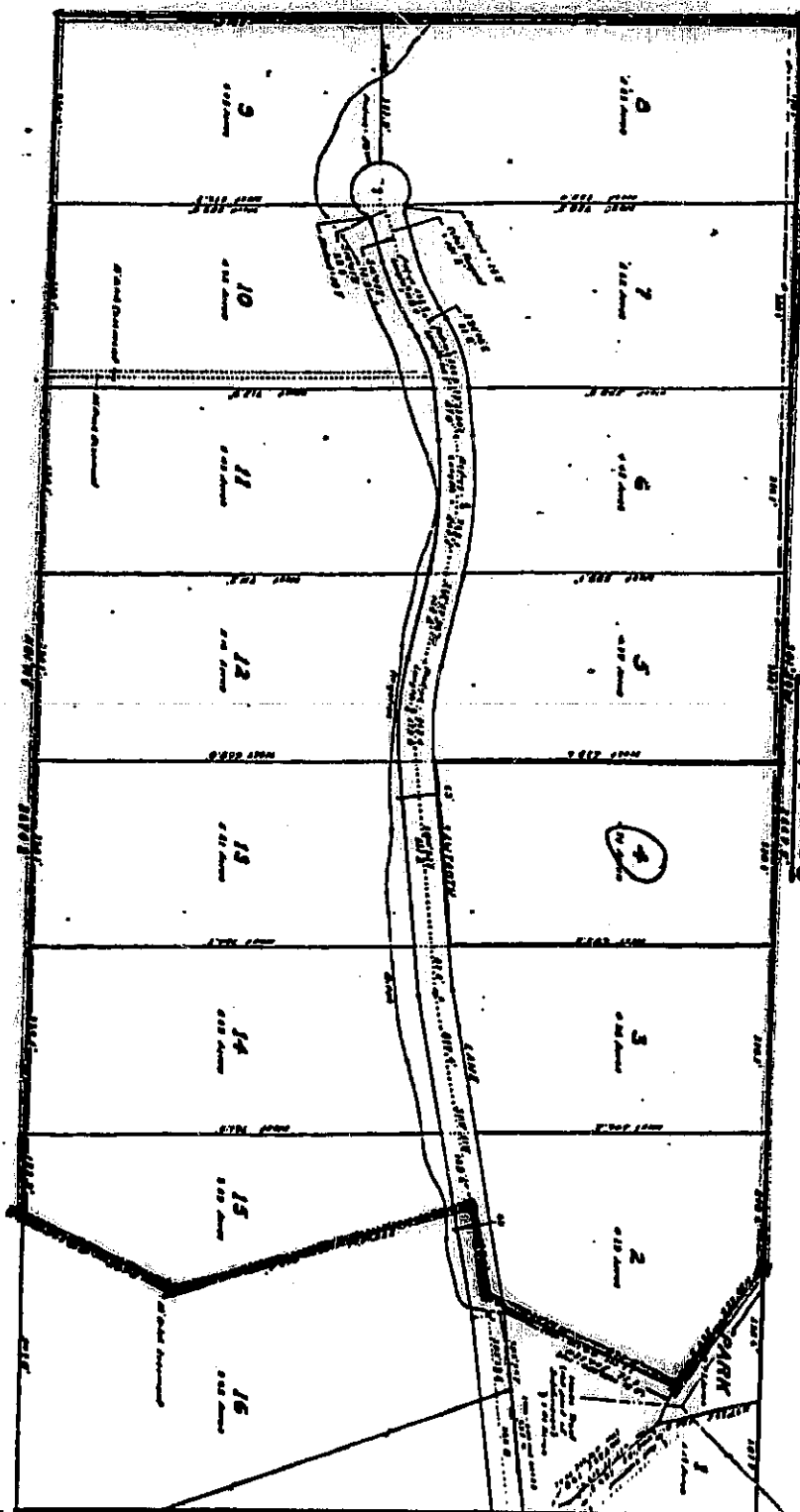
Thence West to the C 1/4 corner;

Thence North to the N 1/4 corner;

Thence East to the beginning E 1/16 corner.

The Woods tract, 1.41 acres, which is not part of the Sawtooth Creek Ranch Subdivision and Lots 1 and 16 of the subdivision and the subdivision County Park Land are not to be included in this proposed zoning district.

"Exhibit A"



ZONING DISTRICT
SAWTOOTH CREEK RANCH
Cont. Lot 2 and 3000 ACRES
Section 2, T20N, R10W, N4E
N 67.7 Acres

Exhibit "B" Sawtooth Zoning District
NON-CONFORMING RIGHTS

Where a lawfully existing structure, use of structure, or use of land is made non-conforming by the provisions of these restrictions, said structure or use may be continued indefinitely under the following conditions:

1. The non-conforming use or structure cannot be enlarged or increased;
2. The non-conforming use or structure cannot be relocated to another location within the land parcel or district;
3. If the non-conforming use ceases for any reason for a period of more than one year, any subsequent use of the land or the structure(s) must be made to conform; and
4. Should a non-conforming structure other than a residence in place prior to the effective date of this resolution be damaged to an extent exceeding fifty percent (50%) of its replacement value, excluding foundations, it shall not be reconstructed for any use, or at any location, other than those conforming to these restrictions.

DEFINITIONS

For the purpose of this ordinance, certain words and terms are herein defined:

ACCESSORY BUILDING: A subordinate building on the same land parcel(s) as the primary residence or agricultural building used exclusively for incidental activities.

ACCESSORY USE: A use incidental or accessory to the principal permitted use of the land parcel or building.

AGRICULTURE: The activity of ground cultivation, including raising and harvesting of crops, rearing of livestock, tillage, husbandry, farming, horticulture, and the like. Feed lot operations are not included herein.

ATV'S: Two, three and four wheeled all terrain vehicles designed for off road use.

FAMILY: One or more persons occupying a dwelling unit as a member of a single, nonprofit, housekeeping unit. No more than two members may be unrelated by either blood, marriage or adoption, or legal guardianship.

FEED LOT OPERATIONS: Any property on which cattle, swine, sheep, goats llamas, horses or the like, are held or contained for feeding and care in preparation for market and where more than 65% of the feed for such animals is supplementally provided from off the premises. Short term holding pens used for weaning, loading, branding, etc. are not included.

HOME OCCUPATION: Any commercial or service activity carried on entirely within a primary residential dwelling or accessory building. Said activity must be clearly incidental to the primary use of the dwelling or accessory building for residential purposes.

JUNK YARD: Land or building where waste, discarded or salvaged materials are brought to be stored, sold, exchanged, cleaned, packed, processed, disassembled or otherwise handled.

LAND PARCEL: A legally defined plot of land which is part of a duly recorded subdivision, the deed for which has been recorded by the County Clerk and Recorder.

KENNEL: A place where animals such as dogs, cats, etc. are kept commercially. ..

MODULAR HOME: A manufactured residential dwelling unit built off-site and delivered as a unit or in major components to the site. A structure designed for permanent installation upon a foundation.

MOBILE HOME: A self contained factory built residential dwelling intended for permanent occupancy and designed for transport upon its own chassis to a building site to be set-up with, or without, a permanent foundation. (A recreational vehicle or travel trailer is not to be considered a mobile home.)

NUISANCE: Any use, activity, or structure that interferes with the use or enjoyment of adjacent property, endangers personal health or safety, or is offensive to the senses, said nuisance being particularly described in M.C.A. 27-30-101 and/or 45-8-111.

RECREATION VEHICLE: A vehicle or portable structure to be moved under its own power or towed for the purpose of providing temporary shelter during travel or recreational use.

RESIDENCE/DWELLING: A primary family home situated on the owners land parcel (s).

SIGNS: Means any device which is used to announce, direct attention to, identify, advertise, or otherwise communicate information or make anything known. The term shall exclude architectural features or art not intended to communicate information.

YARD: The open space on any land parcel lying between a property line and any permanent building or structure (not including fences, movable sheds or playhouses and retaining walls.

PERMITTED USES

1.

One (1) single family residential dwelling may be erected on any land parcel. Types allowed include conventional homes and modular homes.

2.

Agriculture as defined herein and further described as follows:

- A. Family gardens and poultry flocks.
- B. Horses limited to not more than three (3) animals on each existing land parcel.
- C. Cattle grazing on undeveloped land parcels provided that those land owners keep such cattle securely fenced in.

3.

Recreational vehicles may be parked or stored on owners land parcel, and may be used as a temporary residence for not over eighteen (18) months while the primary residence is under construction.

4.

Any activity which by law may not be excluded.

PERMITTED ACCESSORY USES

1.

One (1) subordinate non-rental guest house may be constructed on a land parcel in addition to the primary residence. Such quarters shall be permanent in nature. Erection and use of structures incidental to permitted non-commercial uses such as barns, storage sheds, stables, workshops private garages and the like, provided that they not be used by individuals other than the immediate family members occupying the home.

2.

Public utility buildings and facilities necessary for services or service distribution to the immediate Rural Residential Zoning District. herein created, not to include, however, public offices, repair and storage facilities.

3.

Home occupations (other than agriculture related as previously described) and meeting the following guide lines:

- A. Activities are carried on only within a residence or accessory building which is not to exceed 1200 square feet.
- B. Activities involve only immediate family members occupying the home.
- C. There are no exterior storage of materials or equipment or any other outward indication of the occupation which would detract from the residential character of the property.

Home occupations are specifically interpreted not to include any activity generating excessive noise, a volume of traffic not customary to a residential neighborhood or otherwise constituting a nuisance.

EXCLUDED USES

Any accessory use not otherwise listed as permitted is excluded. For purposes of clarification the following uses are specifically excluded:

1.
Industrial, agricultural or manufacturing businesses of any description other than those specifically allowed in other sections of these restrictions.

2.
Any new commercial activity of any sort except as defined under "Home Occupation", or that by law may not be excluded.

3.
Use of motorcycles, ATV's or snowmobiles on owners property or Sawtooth Lane so as to become an annoyance to the neighborhood.

4.
Recreation vehicles may not be occupied for extended periods except as allowed elsewhere herein.

5.
Mobile homes

6.
Feed lot operations.

7.
Commercial dairy operations.

8.
Kennels.

9.
Junk yards.

10.
Commercial harvesting of trees.

11.
Guiding, outfitting or packing businesses.

12.
Hunting of game birds or animals.

13.
Target practice using firearms.

14.
Any use which by its operation or existence is deemed to be a nuisance.

DOG CONTROL

- A. Dogs shall be contained on the owners property or under direct control of the owners when off the owners property. They shall not be allowed to run at large or become a neighborhood nuisance.
- B. Number of dogs allowed is limited to not more than two (2) over six months old on owners property.

PROPERTY DEVELOPMENT STANDARDS

PROPERTY SIZE: Existing subdivision zoning district lots shall not be further divided.

- YARDS:
- A. Dwellings, except those in place prior to the effective date of this resolution, and accessory buildings shall be set back from adjacent owners property lines (dividing land parcels on north and south) a minimum of forty (40) feet.
 - B. Livestock pens and other enclosures (excluding open pastures) shall be set back a minimum of forty (40) feet from adjacent owners property lines (dividing land parcels north and south)
 - C. Septic tanks and drain fields shall be set back a minimum of thirty (30) feet from adjacent owners property line.
 - D. Pole mounted mercury vapor or sodium type flood lights with automatic control designed for "dusk to dawn" operation shall not be permitted. Yard lights, other than those described above are permissible providing that exterior lights left on all night are shielded so as not to shine on other land parcels.
 - E. No yard, or part thereof, shall be used as a dumping ground for rubbish, trash or garbage but same shall be kept in covered containers which may be located at the lane entrance for periodic pickup by a commercial disposal firm. Composting of organic materials is permitted.

- LANE:
- A. Sawtooth Lane shall remain as a private dead end lane as originally plotted by the property developers.
 - B. No new easements or right of ways to access the lane from any land outside the zoning district shall be sold or granted by any land owner.
 - C. Use of motorcycles, ATVs or snowmobiles on Sawtooth Lane shall be for access to or from owners property only.

SIGNS: Temporary real estate signs, not exceeding, five square feet may be erected. Signs shall not be flashing or utilize intermittent illumination. No sign shall be placed so as to obstruct traffic visibility.

BUILDING RESTRICTIONS:

- A. All modular homes shall have their wheels and axles removed and be set on permanent building foundations. Said homes and foundations must conform to minimum construction and electrical standards of the State of Montana.
- B. All dwellings must be connected to permanent sewer and water systems approved by appropriate state or county agencies.
- C. All single family dwellings, site built or modular, shall have a minimum of one thousand (1000) square feet of living space.

ENFORCEMENT:

- A. The county shall enforce the provisions of this district. Such enforcement shall apply uniformly to each structure, use and all land within this district.
- B. Failure to immediately enforce any of these provisions shall not in any event construed or held to be a waiver thereof or consent to any further or succeeding breach or violation.

VARIANCES:

- A. Generally. The Board of County Commissioners may grant a variance from the strict application of any provision of this Code, provided that such variance is granted in conformance with the County's Subdivision Regulations.
- B. Limitations on Issuing a Variance. The following actions shall not be allowed by a variance:
 - (1) Establishment of a use otherwise prohibited;
 - (2) expansion of a nonconforming use; or
 - (3) modification to lot or other requirements so as to increase the permitted density of use.

ADMDNDMENTS:

(a) Landowner Initiated. When not in conflict with the Ravalli County Comprehensive Plan, the County may amend the district boundary or any provision that applies to this district when sixty (60) percent of the land owners within said district submit a signed petition to the Board of County Commissioners.

(b) County Initiated. The County may amend the regulations and standards, or any other provisions of this district when done in the content of a comprehensive plan of revision.

(c) Limitations on Amendments. Under no circumstances may an amendment to a district boundary cause the district to be less than forty (40) acres.

RESPONSIBILITY for INTERPRETATION:

(a) Responsibility for Interpretations. In the event that any question arises concerning any provision or the application of any provision, the Planning Director shall be responsible for such interpretation and shall look to the Comprehensive Plan for guidance.

(b) Limitations on Interpretations. This responsibility for interpretation shall be limited to standards, regulations, and requirements of this Code, but shall not be construed to include interpretation of any technical codes adopted by reference in this Code, nor be construed as overriding the responsibilities given to any commission, board or official named in other sections of this Code.

ABROGATION:

This resolution is not intended to repeal, abrogate, or interfere with any existing easements, covenants, or deed restrictions duly recorded in the public records of the county.

SEVERABILITY:

If any section, subsection, paragraph, sentence or clause, or phrase is for any reason held by any court of competent jurisdiction to be unconstitutional or otherwise invalid, the validity of the remaining portions shall continue in full force and effect.

EFFECTIVE DATE:

This resolution shall become effective upon adoption.

March 10, 1994

TO: RAVALLI COUNTY COMMISSIONERS

FROM: RAVALLI COUNTY CLERK AND RECORDER *Kathy T. Lund*

RE: SAWTOOTH CREEK RANCH VOLUNTEER ZONING DISTRICT

Attached please find the Sawtooth Creek Ranch Volunteer Zoning District petition (Arnold Gibson) that was presented to me for signature approval. We find that there are 20 correct freeholder signatures out of a possible 22, which calculates to be 91%.

As per 76-2-101 MCA you are authorized and empowered to order and create a planning and zoning district after the appropriate public hearings. Attached also is an A101 for the \$250.00 advertisement/handling fees required by you.

If you have any questions, please feel free to contact me.
Thank you.

Treasurer of Ravalli County Hamilton, Montana		Date <u>3-7</u> , 19 <u>94</u>		<u>006539</u>	
Received of <u>Clark's Recorder</u>		<u>Two hundred fifty</u>		<u>no in</u> Dollars	
				Amount	
<u>1000-3601-01</u>		<u>Toning fee</u>		<u>250</u>	<u>00</u>
		<u>Archie Gibson</u>			
		<u>brother of R. M. Gibson</u>			
<u>X</u>					
<u>M. H. H.</u> Treasurer		By _____ Deputy		TOTAL <u>250</u> <u>00</u>	

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3. If the non-conforming use ceases for any reason for a period of more than one year, any subsequent use of the land or the structure(s) must be made to conform; and
4. Should a non-conforming structure other than a residence in place prior to the effective date of this resolution be damaged to an extent exceeding fifty percent (50%) of its replacement value, excluding foundations, it shall not be reconstructed for any use, or at any location, other than those conforming to these restrictions.

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SEVERABILITY:

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EFFECTIVE DATE:

This resolution shall become effective upon adoption.

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JUNE

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7956

Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry

2:41 PM

2/17/94

PARCEL - 820900 01

SCH DST - 3-3

COMM CODE -

** GENERAL PUBLIC **

* ACTIVE *

NAME - TIMMERMAN ROBERT R & VIOLA M

NAME2 -

ADDR - P O BOX 26

ADDR2

CITY - HAMILTON

STATE - MT ZIP - 59840

LOT BLOCK

SEC TWPSP RANGE

PROPERTY DESCRIPTION

SAWTOOTH CREEK RANCH

4.38 AC

LOT 3

Robert R. Timmerman
Viola M. Timmerman

LAND CODE - 4

** SUBURBAN **

IMPS CODE - 1

*** GENERAL *** 0

OWNER TYPE - 4

MATL CODE - C

DELETE CODE -

GEO-CODE #- 13660310113

TAX NUMBER - 15504

CMD4 KEY RETURN TO MENU

On this ___ day of _____, 19___, before me the undersigned Notary for the State of

_____, personally appeared _____

_____ known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

Notary Public for the State of _____

Residing at _____

My Commission Expires _____

Form Prepared: January 14, 1993

FILED

JUNE 9, 1994

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Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry

2:42 PM

2/17/94

PARCEL- 366500 01

SCH DST- 3-3

COMM CODE-

** GENERAL PUBLIC **

* ACTIVE *

NAME- GIBSON ARNOLD P & ALTA P

NAME2-

ADDR- 471 SAWTOOTH LANE

ADDR2

CITY- HAMILTON

STATE- MT ZIP- 59940

LOT BLOCK

SEC TWNSP RANGE

PROPERTY DESCRIPTION

SAWTOOTH CREEK RANCH

LOT 4

4.71 AC

LAND CODE- 4

** SUBURBAN **

IMPS CODE- 1

*** GENERAL *** 0

OWNER TYPE- 4

MATL CODE- C

TAX NUMBER- 5309

DELETE CODE-

GEO-CODE #- 13660310112

CMD4 KEY.RETURN TO MENU

Arnold R. GibsonAlta P. Gibson

On this ____ day of _____, 19__, before me the undersigned Notary for the State of _____, personally appeared _____

_____ known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

Notary Public for the State of _____

Residing at _____

My Commission Expires _____

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Real Estate Master File Inquiry

2:42 PM

2/17/94

PARCEL - 751100 01

SCH DST- 3-3

COMM CODE-

** GENERAL PUBLIC **

* ACTIVE *

NAME- SELIG BROCK F & KIMBERLYN B-S

NAME2-

ADDR- 1460 HOYTSTVILLE ROAD

ADDR2

CITY- HOYTSTVILLE

STATE- UT

ZIP- 84017

LOT BLOCK

PROPERTY DESCRIPTION

SEC TWPSP RANGE

SAWTOOTH CREEK RANCH

LOT 5

4.77 AC

LAND CODE- 4

** SUBURBAN **

IMPS CODE- 1

*** GENERAL ***

0

OWNER TYPE- 4

MAIL CODE- C

TAX NUMBER- 13818

DELFTF CODE-

GEO-CODE # - 13660310111

CMD4 KEY.RETURN TO MENH

[Signature: Brock F. Selig] *[Signature: Kimberlyn B. Selig]*

On this ____ day of _____, 19__, before me the undersigned Notary for the State of

_____, personally appeared _____ known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

Notary Public for the State of _____

Residing at _____

My Commission Expires _____

FILED

JUNE

9, 1994

10:37AM

PERM FILE

7956

Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
----------------------	---	--------------------------------	-----------------

Real Estate Master File Inquiry

2:43 PM

2/17/94

PARCEL - 645200 01

SCH DST - 3-3

COMM CODE -

** GENERAL PUBLIC **

* ACTIVE *

NAME - DUTTON ROSS A & WENDY S

NAME2 -

ADDR - 485 SAWTOOTH LANE

ADDR2

CITY - HAMILTON

STATE - MT ZIP - 59840

LOT BLOCK

PROPERTY DESCRIPTION

SEC TWPSP RANGE

SAWTOOTH CREEK RANCH

LOT 6

4.45 AC

LAND CODE - 4

** SUBURBAN **

TMPS CODE - 1

*** GENERAL *** 0

OWNER TYPE - 4

MAIL CODE - C

TAX NUMBER - 4117

DELETE CODE -

GEO-CODE #- 13660310110

CMD4 KEY RETURN TO MENU

*Ross A Dutton**Wendy Dutton*

On this ___ day of _____, 19___, before me the undersigned Notary for the State of

_____, personally appeared _____

_____ known to me (or proved to me on the oath of

_____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that ___he___ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

Notary Public for the State of _____

Residing at _____

My Commission Expires _____

Form Prepared: January 14, 1993

FILED

JUNE

9, 1994

10:37 AM

FERN FILE

7956

Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry
8:18 AM 2/18/94

PARCEL - 852000 01

SCH DST - 3-3

COMM CODES

** GENERAL PUBLIC **

* ACTIVE *

NAME - ZAJAC EDWARD & HELEN

NAME2 -

ADDR - 491 SAWTOOTH LANE

ADDR2

CITY - HAMILTON

STATE - MT ZIP - 59840

LOT BLOCK

SEC TWP&D RANGE

PROPERTY DESCRIPTION

SAWTOOTH CR RANCH

5.02 AC

LOT 7

LAND CODE - 4

** SUBURBAN **

IMPS CODE - 1

*** GENERAL *** 0

OWNER TYPE - 4

MATL CODE - C

DELETE CODE -

CFO-CODE #- 13660310109

TAX NUMBER - 17375
CMD4 KEY RETURN TO MENU

Edward Zajac Helen Zajac
On this 22 day of Feb, 1994, before me the undersigned Notary for the State of
Montana, personally appeared EDWARD & HELEN ZAJAC,
known to me (or proved to me on the oath of
_____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and
acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year

Notary Public for the State of Montana

Residing at

Holding at

My Commission Expires

Sept. 28, 1995

Form Prepared: January 14, 1993

Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry
2:45 PM 2/17/94

PARCEL- 674100 01

SCH DST- 3-3

COMM CODE-

** GENERAL PUBLIC **

* ACTIVE *

NAME- GROVER C JOSEPH & HAZEL M

NAME2-

ADDR- P O BOX 69

ADDR2

CITY- HAMILTON

STATE- MT ZIP- 59840

LOT BLOCK

PROPERTY DESCRIPTION

SEC TWPSP RANGE

SAWTOOTH CREEK RANCH

LOTS 8 & 9

10.06 AC

LAND CODE- 3

* AGRICULTURE *

IMPS CODE- 1

*** GENERAL *** 0

OWNER TYPE- 4

MAIL CODE- C

DELETE CODE-

GEO-CODE #- 13660310108

TAX NUMBER- 5739
CMD4 KEY RETURN TO MENU

Hazel M Grover

On this 25 day of FEB, 1994, before me the undersigned Notary for the State of

Montana, personally appeared Hazel M Grover

Hazel M Grover known to me (or proved to me on the oath of

David H. Boyd to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year

Notary Public
STATE OF MONTANA

Notary Public for the State of Montana

Residing at Hamilton

My Commission Expires MAY-12-1996

FILED

JUNE 9, 1994

10:37AM

PERM FILE

1995

Voluntary Zoning District Petition

Property Description	Freeholders Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry

2:45 PM

2/17/94

PARCEL - 674100 01

SCH DST - 3-3

COMM CODE -

** GENERAL PUBLIC **

* ACTIVE *

NAME - GROVER C JOSEPH & HAZEL M

NAME2 -

ADDR - P O BOX 69

ADDR2 -

CITY - HAMILTON

STATE - MT

ZIP - 59840

LOT BLOCK

SEC TWPSP RANGE

PROPERTY DESCRIPTION

SAWTOOTH CREEK RANCH

LOTS 8 & 9

10.06 AC

LAND CODE - 3

* AGRICULTURE *

IMPS CODE - 1

*** GENERAL ***

D

OWNER TYPE - 4

MAIL CODE - C

DELETE CODE -

GEO-CODE #- 13660310108

TAX NUMBER - 5739

CMD4 KEY, RETURN TO MENU

Joseph Grover

On this 22 day of February, 1994 before me the undersigned Notary for the State of Oregon, personally appeared Joseph Grover known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

Notary Public for the State of OregonResiding at La GrandeMy Commission Expires July 14, 1996

Form Prepared: January 14, 1993



Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry
2:46 PM 2/17/94

PARCEL- 603800 01 * ACTIVE *
** GENERAL PUBLIC **
NAME- LODMELL DONALD & JOAN RAE
NAME2-
ADDR- ROCKY MOUNTAIN LAB
ADDR2-
CITY- HAMILTON STATE- MT ZIP- 59840 LOT BLOCK
PROPERTY DESCRIPTION SEC TWP&P RANGE
SAWTOOTH CREEK RANCH LOTS 10 TO 12
15.57 AC

Donald Lodmell
DONALD LODMELL

Joan Rae Lodmell
JOAN RAE LODMELL

LAND CODE- 3 * AGRICULTURE *
IMPS CODE- 1 *** GENERAL *** 0
OWNER TYPE- 4 MAIL CODE- C
DELETE CODE- GEO-CODE #- 13660310106
TAX NUMBER- 9995
CMD4 KEY- RETURN TO MENU

On this 22nd day of February, 1994, before me the undersigned Notary for the State of Montana, personally appeared Donald Lodmell and Joan Rae Lodmell known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) were subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year

[Signature]
Notary Public for the State of Montana
Residing at Hamilton, MT
My Commission Expires 03-23-95



Voluntary Zoning District Petition

Property Description Freeholder's Name (Typed or Printed) Signature (Signed as Shown) Mailing Address

Real Estate Master File Inquiry
2:47 PM 2/17/94

PARCEL- 622000 01

SCH DST- 3-3

COMM CODE-

** GENERAL PUBLIC **

* ACTIVE *

NAME- CALDWELL JOHN H & ELIZABETH C

NAME2-

ADDR- 817 53RD STREET SOUTH

ADDR2

CITY- GREAT FALLS

STATE- MT

ZIP- 59401

LOT BLOCK

SEC TWP&D RANGE

PROPERTY DESCRIPTION

SAWTOOTH CREEK RANCH

5.21 AC

LOT 13

LAND CODE- 4

** SUBURBAN **

IMPS CODE- 1

*** GENERAL ***

0

OWNER TYPE- 4

MATL CODE- C

DELETE CODE-

GEO-CODE #- 13660310105

TAX NUMBER- 2262

CMDL KEY RETURN TO MENI

John H. Caldwell

Elizabeth C. Caldwell

On this 2nd day of MARCH, 1994, before me the undersigned Notary for the State of Montana, personally appeared John H. & Elizabeth C. Caldwell

known to me (or proved to me on the oath of

) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

Notary Public for the State of Montana

Residing at Great Falls

My Commission Expires 6-22-96

FILED JUN 9, 1994

10:37 AM PER FILE

383397 23 OF 30 7956

Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry
2:47 PM 2/17/94

PARCEL - 651800 01

SCH DST - 3-3

COMM CODE -

** GENERAL PUBLIC **

* ACTIVE *

NAME - SKITTER JERRY M & LYGIA A

NAME2 -

ADDR - 466 SAWTOOTH LANE

ADDR2 -

CITY - HAMILTON

STATE - MT ZIP - 59840

LOT BLOCK

SEC TWP&P RANGE

PROPERTY DESCRIPTION
SAWTOOTH CREEK RANCH
5.53 AC

LOT 14

Jerry M. Skitter *Ligia A. Skitter*

LAND CODE - 4
IMPS CODE - 1
OWNER TYPE - 4
DELETE CODE -

** SUBURBAN **
*** GENERAL ***
MATH CODE - C
GEO-CODE #- 13660310104

TAX NUMBER - 3343
CMD4 KEY RETURN TO MENU

On this 25 day of Feb, 1994, before me the undersigned Notary for the State of Montana, personally appeared Jerry M. Skitter and Ligia A. Skitter

known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.

[Signature]
Notary Public for the State of Montana
Residing at Hamilton
My Commission Expires DEC 02 1994



STATE OF MONTANA
FILED JUNE 9, 1994

COUNTY OF BAYLLE
10:37 AM PERM FILE

332897 29 OF 39
7956

Voluntary Zoning District Petition

Property Description	Freeholder's Name (Typed or Printed)	Signature (Signed as Shown)	Mailing Address
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Real Estate Master File Inquiry
2:48 PM 2/17/94

PARCEL- 707400 01

SCH DST- 3-3

COMM CODE-

** GENERAL PUBLIC **

* ACTIVE *

NAME- KNIGHT RICHARD R & SHELLEY

NAME2-

ADDR- SW 203 OWINGS CREEK LANE

ADDR2

CITY- HAMILTON

STATE- MT ZIP- 59940

PROPERTY DESCRIPTION
SAWTOOTH CREEK RANCH
3.59 AC

LOT BLOCK
SEC TWP&R RANGE

LOT 15

LAND CODE- 3
IMPS CODE- 1
OWNER TYPE- 4
DELETE CODE-

* AGRICULTURE *
*** GENERAL ***
MATH CODE- C
GEO-CODE #-

0

TAX NUMBER- 8124
CMD4 KEY RETURN TO MENU

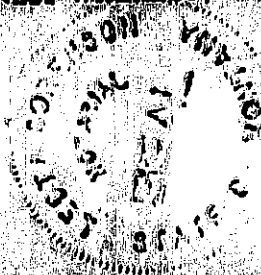
13660310103

Richard R Knight *Shelley Knight*

On this 1st day of March, 1994, before me the undersigned Notary for the State of Montana, personally appeared Richard Knight and Shelley Knight

known to me (or proved to me on the oath of _____) to be the person(s) whose name(s) is/are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed by Notarial Seal the day and year first written.



Debra J. Harrison
Notary Public for the State of Montana

Residing at Corvallis

My Commission Expires 4-16-96

Form Prepared: January 14, 1993

State of Montana)
County of Ravalli)

On this 7th day of March, 1994,
before me the undersigned notary public for the State of Montana, personally appeared Arnold R. Gibson known to me personally and Alta P. Gibson, Robert R. Timmerman, Viola M. Timmerman, Brock F. Selig, Kimberlyn Brown-Selig, Ross A. Dutton and Wendy Dutton proved to me on the oath of Arnold R. Gibson to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

In witness whereof, I have hereunto set my hand and affixed my notarial seal the day and year first above written.

Getty T. Lenoir

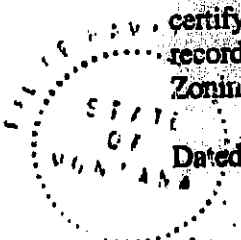
Notary Public for the State of Montana
Residing at Hamilton, Montana
My commission expires Nov. 19, 1994

SAWTOOTH CREEK RANCH SUBDIVISION
VOLUNTARY ZONING DISTRICT

LOT 2	Leland R & Wanda Kay Wilson
LOT 3	Robert R & Viola M Timmerman
LOT 4	Arnold R & Alta P Gibson
LOT 5	Brock F Selig & Kimberlyn Brown-Selig
LOT 6	Ross A & Wendy Dutton
LOT 7	Edward & Helen Zajac
LOT 8	C Joseph & Hazel M Grover
LOT 9	C Joseph & Hazel M Grover
LOT 10	Donald & Joan Rae Lodmell
LOT 11	Donald & Joan Rae Lodmell
LOT 12	Donald & Joan Rae Lodmell
LOT 13	John H & Elizabeth C Caldwell
LOT 14	Jerry M & Lygia A Skipper
LOT 15	Richard R & Shelley Knight

I, Betty T. Lund, Ravalli County Clerk & Recorder, do hereby
certify that the above are the freeholders that are shown on our
records for the legal description given to us by the Sawtooth
Zoning persons. This list contains 22 names of landowners.

Dated this 17th day of February, 1994.


Betty T. Lund

A

EXHIBIT "A"SAWTOOTH CREEK RANCH SUBDIVISIONZONING AREA PERIMETER DESCRIPTION

A tract of land known as the Sawtooth Creek Ranch Subdivision, Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) & SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 3, Township 5 North, Range 21 West, Principle Meridian Montana; the perimeter of which is described for zoning as follows:

Beginning at the East 1/16 corner of Section 3, T.5N, R.21 W

Thence South to the EC 1/16 corner;

Thence West to the C 1/4 corner;

Thence North to the N 1/4 corner;

Thence East to the beginning E 1/16 corner.

The Woods tract, 1.41 acres, which is not part of the Sawtooth Creek Ranch Subdivision and Lots 1 and 16 of the subdivision and the subdivision County Park Land are not to be included in this proposed zoning district.

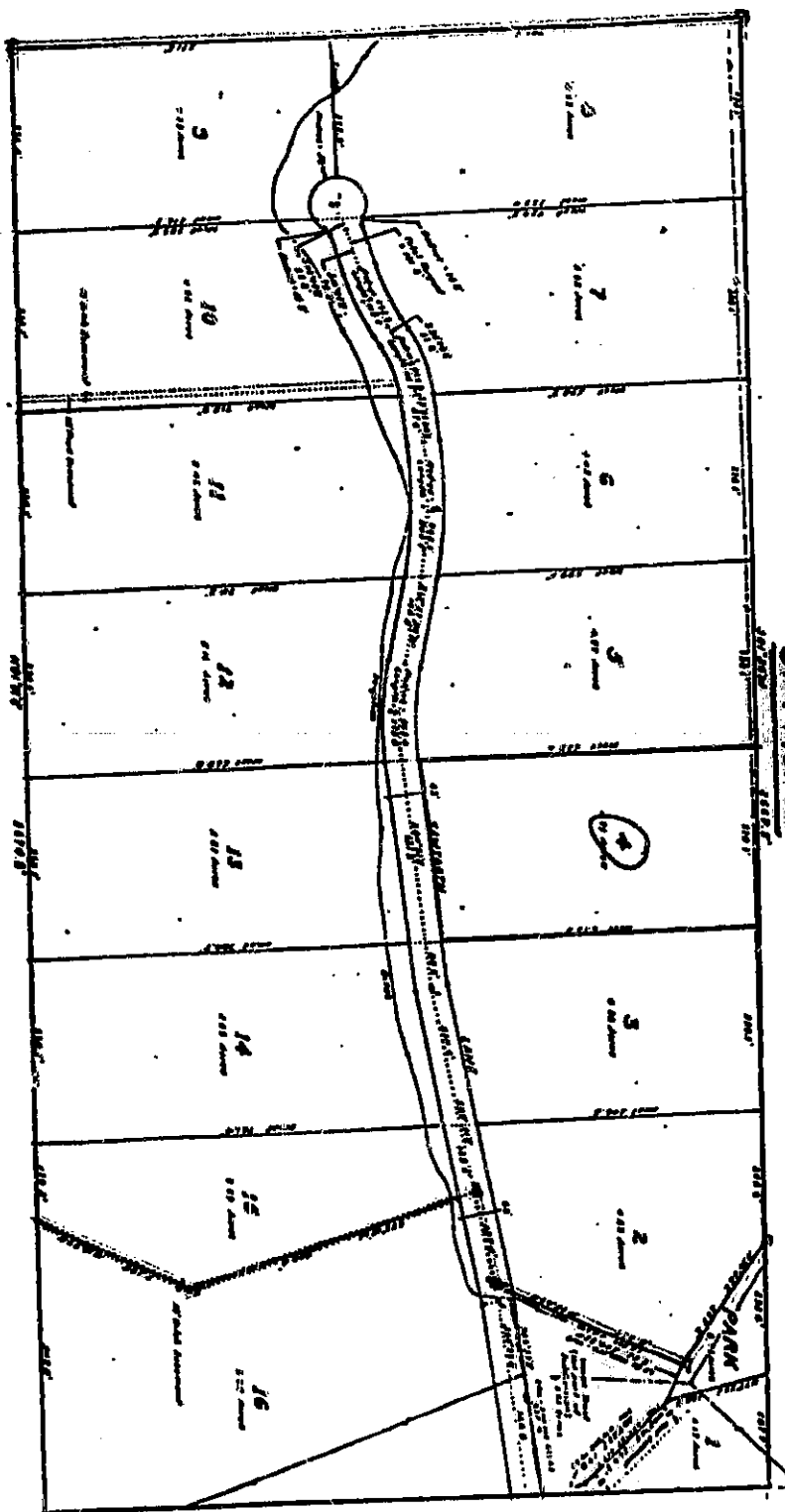
B

PETITION FOR ZONING DISTRICT

We, the Petitioners being 90.9 percent of the owners and freeholders of real property as described and set forth in Exhibit "A" attached hereto and incorporated herein by this reference, do respectfully request the Board of County Commissioners of Ravalli County, Montana, pursuant to the provisions of MCA 73 -2- 101 to order and create a Rural Residential zoning district for the purpose of furthering the health, safety, and general welfare of the people in said district, as set forth in the following restrictions.

RURAL RESIDENTIAL DISTRICT

A rural residential district is hereby established to provide rural and semi-rural development of existing land for primarily low density residential uses. The purpose of this district is to conserve and protect open land uses, foster orderly growth and prevent urban land use conflicts. Existing land parcels are intended to protect wildlife habitat, natural vegetation, water sheds and wells.



ZONING DISTRICT
SAWTOOTH CREEK RANCH

South 1/4 of Sec 1 and 2, T4N, R10W, NE1/4
67.7 Acres

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA
County of Ravalli

Victoria Howell being
duly sworn, deposes that

she is the editor of the
BITTERROOT VALLEY NEWS, a daily
newspaper of general circulation,
published in Bitterroot Valley,
Ravalli County, Montana, and
that the foregoing petition and
copy of the proposed regulations
was published in said paper for
entire

2 consecutive days,

commencing on the 16 day of

March, 1994

and the last day of

March 23, 1994

Signed Victoria Howell

Subscribed and sworn to before me

this 1st day of April

Robert G. Turk

Deborah J. Wart
NOTARY PUBLIC for the State of Montana
Residing at Stevensville, Montana
My Commission Expires October 4, 1997



NOTICE OF PUBLIC
HEARING

You are hereby notified
that the Board of Ravalli
County Commissioners will
hold a Public Hearing on
Wednesday, March 30, 1994
at 2:00 p.m. in their office at
the Courthouse in Hamilton,
Montana, to take comment
on a petition to create a
zoning district in Sawtooth
Creek Ranch. The proposed
district would affect the Saw-
tooth Creek Ranch Sub-
division excluding Lots 1 and
16, the park and the 'Woods
Tract', located in the East
1/2 of the NE 1/4, Section 3,
T5N, R21W. Copies of the

proposed regulations for the
district area available at the
Commissioners' Office.

BOARD OF COUNTY
COMMISSIONERS,

/s/ Steven D. Powell,
Chairman.

BS 3/16 & 3/23/94.

SAWTOOTH CREEK RANCH ZONING
PUBLIC HEARING MARCH 30, 1994

ATTENDANCE:

Commissioner Steve Powell
Commissioner Jerry Allen
Commissioner Allen Horsfall
Hazel and George Grover
Robert Timmerman
Jerry Skipper
Alta and Arnold Gibson
Joan Rae Lodmell
Ed and Helen Zajac

Commissioner called the public hearing to order and advised the guests that this was the time set aside for the Board to take public comment on the proposed Sawtooth Creek Ranch Zoning District.

Commissioner Powell asked for the proponents to make comment. Guest Arnold Gibson indicated that all of the people present for this hearing were proponents, they had all signed the petition and were currently in compliance with the proposed zoning requirements. Mr. Gibson indicated all but one resident was in favor of the zoning which equated out to be 90 1/10%

Commissioner Powell asked for the opponents to make comment. There were none present.

A discussion ensued as to the previous petition that was submitted over a year ago and how it had been defeated. Mr. Gibson indicated they had taken the same petition and refined it as to the concerns raised in the first zoning petition. Some specific areas of change are in the set backs (two houses did not meet the set backs so they were left out of the zoning perimeters) and the lighting. Mr. Gibson indicated they only requested the night time lights be shaded.

Commissioner Powell advised the proponents that the revised zoning regulations that have been submitted would be referred to the County Planning Department for their review for enforcement and definition purposes. If any changes were to be requested by the Planning Department the proponents would be notified so all could go over any differences that would result from that.

Commissioner Allen Horsfall commended the petitioners on their efforts to come back a second time with a proposed zoning.

Mr. Gibson indicated they had some concern as to the County not enforcing the private lane provision, particularly if development of land occurs to the East and South of the lane. He indicated they had solicited the advise of an Attorney who had advised them

that the owners could grant the right of way to each other then petition the County to abandon the lane. That would insure the limited use of the lane. Mr. Gibson indicated they currently had a maintenance agreement on the lane.

Commissioner Powell indicated the Attorney's advise was sound and it would limit questions as to the use of the road.

Commissioner Powell indicated the Board was in receipt of a letter from the Dahlgrenns requesting a change in their conditional approval to their four lot subdivision to the East of Sawtooth Lane. They were requesting access from Owings Creek Lane rather than Sawtooth Lane. Mr. Gibson and the other proponents indicated they were appreciative of that change and requested the Board grant that change for obvious reasons.

There was some discussion as to the impact on the Woods property if the abandonment of the road took place. Mr. Gibson indicated the Woods entered their property from Owings Creek Lane and it would have no impact.

Commissioner Powell also questioned whether such abandonment would be detrimental to the other property owners such as the Wilsons and Dahlgrenns. He indicated they too should be part of that easement of right of way then all would be in favor of such. He also indicated that it would be wise to bring all the lot owners under the restriction of access to other properties outside the subdivision, so that it was equally applied.

Commissioner Powell thanked all the guests for their attendance and indicated they would be contacted after the Planning Department reviewed the regulations prior to the Notice of Intent that is published.

The meeting was adjourned.

AFFIDAVIT OF PUBLICATION

STATE OF MONTANA) ss
County of Ravalli)

Victoria Howell being
duly sworn, deposes and says that

She is the Editor of the
BITTERROOT STAR, a weekly
newspaper of general circulation,
published in Stevensville,
Ravalli County, Montana, and
that the subjoined notice, a
copy of which is hereto attached,
was published in the regular and
entire issue of said paper for

two successive weeks,
commencing on the 27 day of

APRIL 1994
and published on the following dates
thereafter:

4 May 1994

Signed

Victoria Howell

Subscribed and sworn to before me

this 4th day of May 1994

Boyd L. Sarchette

Boyd L. Sarchette
NOTARY PUBLIC for the State of Montana
Residing at Stevensville, Montana
My Commission Expires March 4, 1996

NOTICE OF INTENT
TO CREATE A ZONING
DISTRICT

On April 25, 1994 the
BOARD OF COUNTY COM-
MISSIONERS, Ravalli
County, passed a resolution
of intent to create a zoning
district in the Sawtooth
Creek Ranch Subdivision.

This district is intended
to provide for and assure
continued semi-rural use of
land.

The proposed zoning af-
fects the following property:

A tract of land known as
the Sawtooth Creek Ranch
Subdivision, Lot 2 (NW1/4
NE 1/4) & SW1/2 NE1/4 of
Section 3, Township 5 North,
Range 21 West, Principle
Meridian Montana; the
perimeter of which is de-
scribed for zoning as follows:
Beginning at the East 1/16
corner of Section 3, T5N,
R21W, Thence south to the
EC 1/16 corner; Thence
West to the C 1/4 corner;
Thence North to the N 1/4

corner; Thence East to the
beginning E 1/16 corner. The
woods tract, 1.41 acres,
which is not part of the Saw-
tooth Creek Ranch Subdivi-
sion and Lots 1 and 16 of the
subdivision and the subdivi-
sion County Park Land are
not to be included in this pro-
posed zoning district.

Copies of the proposed
regulations are on file in the
office of the Commissioners
at the Ravalli County Court-
house.

For thirty days after the
first publication of this no-
tice, April 27, 1994 the
BOARD OF COUNTY COM-
MISSIONERS will receive
written protests to the cre-
ation of this zoning district or
to the zoning district whose
names appear on the last
completed assessment roll
of the County.

BOARD OF COUNTY
COMMISSIONERS,

/s/ Steve Powell, Chair-
man.

BS 4/27 & 5/4.

Commissioner Horsfall hosted a meeting with the Citizens of Decency through Law to discuss the proposed obscenity ordinances.

DATE April 25, 1994

MEMBERS PRESENT Commissioner Steve Powell, Commissioner Jerry Allen and Commissioner Allen C. Horsfall, Jr.

Commissioners Allen and Horsfall conducted interviews with potential road shop employees.

Commissioner Allen made a motion to adopt Resolution No. 693 which establishes a voluntary zoning district for Mountain View Orchards. Commissioner Horsfall seconded the motion and all voted "aye".

* Commissioner Horsfall made a motion for a Resolution of Intent to create a voluntary zoning district for Sawtooth Creek Ranch Subdivision. Commissioner Allen seconded the motion and all voted "aye".

Commissioner Horsfall made a motion to adopt change order #6 which increases the contract sum for the new justice center by \$7,394.00. This change will add a court room cooler and lower the ceiling in the jail exercise room. Commissioner Allen seconded the motion and all voted "aye".

Dwayne Favaro met with the Board to discuss his concerns relative to the use of a private easement of property in the Harrington Subdivision on Middle Bear Creek.

Tom Hanson of P.C.I. Consultants met with the Board to review the design of the proposed parking project next to the new jail facility, and the possibility of creating a sewer district for the proposed Arrow Hills Subdivision.

Commissioner Allen made a motion to grant conditional approval to the Westphal Subdivision. Commissioner Horsfall seconded the motion and all voted "aye".

Commissioner Allen made a motion to grant conditional approval to Country Places Subdivision. Commissioner Horsfall seconded the motion and all voted "aye".

Commissioner Horsfall made a motion to grant conditional approval to Harrington Lots. Commissioner Allen seconded the motion and all voted "aye".

Commissioner Allen made a motion to grant conditional approval to the Timber Ridge Subdivision. Commissioner Horsfall seconded the motion and all voted "aye".

Commissioner Allen made a motion to grant conditional approval to the West Rim Subdivision. Commissioner Horsfall seconded the motion and all voted "aye".

Commissioner Horsfall made a motion to grant conditional approval to the Reed Meadows Subdivision. Commissioner Allen seconded the motion and all voted "aye".